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Governor Dave Freudenthal

MEMORANDUM

Date: August 6, 2009

To: All Children DD, Adult DD, and Acquired Brain Injury Waiver Providers

From: Cliff Mikesell, Administrator, Developmental Disabilities Division

Subject: Participant Funding on DDD Waivers SFY-2010 (July 1, 2009 – June 30, 2010)

Ref: 09-129-CM

In response to the culmination of several changes at the Division, including the 10% rate reduction by the Governor's office and the second year of the rate implementation methodology, the Division has summarized the current premise for Individualized Budgeted Amounts (IBAs) as stated in the approved Adult and ABI waivers. The Division acknowledges that the DOORS model IBA for adults and ABI waiver participants is no longer valid due to the rate methodology implemented July 1, 2008. Interim IBAs and SFY 2010 Anniversary IBA spreadsheets will be sent to case managers by August 14, 2009.

Adult DD and ABI Waiver Participant IBAs

- **Estimated Adult Waiver Interim IBA:** For those active plans that have a plan start date before July 1, 2009 an estimated interim IBA will be determined. The basis is the number of calendar days before July 1, 2009 and the number of calendar days after July 1, 2009 multiplied by the respective rate. The pre July 1, 2009 rate is the "full rate" and the July 1, 2009 rate is the reduced rate (full rate less 10%). This is an estimate since the actual number of units used before July 1, 2009 is unknown at the date of this memo. Therefore, adjustments may be necessary.
- **Anniversary Adult Waiver IBA:** Beginning with July 1, 2009 plans, the IBA is the total units from State Fiscal Year (SFY) 2009 (July 1, 2008 – June 30, 2009) approved plans multiplied by posted service rates (reduced rate) – less one-time expenses, such as subsequent assessments, specialized equipment, or environmental modifications.
- **ABI Waiver Exception:** The IBA, for the Acquired Brain Injury (ABI) waiver only, for SFY-2010 is equal to the SFY-2009 plan amount. No reductions will be applied to the IBA since the Governor did not reduce the budget for this waiver program, but the ABI service rates have been reduced 10%, like the other Division Waiver programs to maintain equity between the waiver program reimbursement rates. However, services can be adjusted to accommodate additional service needs.

For NEW participants to the Adult DD and ABI Waiver:

- The IBA shall be determined using the ICAP assessment, information from the case manager to determine core service needs, and an evaluation of other waiver service needs. **Core Services** are necessary DD Waiver services that may include Case Management, Residential Habilitation, Day Habilitation, Supported Living, Supported Employment, Personal Care, or Respite. **Other waiver services** include therapies, equipment, environmental modifications and skilled nursing.
- Once the services, units, and supervision level have been identified, the IBA will be calculated based upon the information and using posted service rates.
- The supervision level for tiered supervision levels in Day and Residential Habilitation is based upon both the ICAP service score and information gathered on the participant's health and safety needs.

- NOTE: If residential placement is being requested, the participant must meet targeting criteria according to the July 17, 2009 Out-of-Home Placement Memorandum that was sent to providers and participants.
- Once the core services budget amount is identified, additional funding may be allotted for other waiver services based upon the health and safety needs of the participant.
- A funding letter with the IBA will be sent to the participant, legal representative, and his/her case manager.

Children's DD Waiver Participant IBAs

- **Estimated Interim IBA:** For those active plans that have a plan start date before July 1, 2009 an estimated interim IBA will be determined. The basis is the number of calendar days before July 1, 2009 and the number of calendar days after July 1, 2009 multiplied by the respective rate. The pre July 1, 2009 rate is the "full rate" and the July 1, 2009 rate is the reduced rate (full rate less 10%). This is an estimate since the actual number of units used before July 1, 2009 is unknown at the date of this memo. Therefore, adjustments may be necessary.
- **Anniversary Child Waiver IBA:** For existing participants, the revised IBA established in SFY-2009 (July 1, 2008 and June 30, 2009) shall be the same IBA less 10% for SFY-2010.
- NOTE: If residential placement is being requested, the participant must meet targeting criteria according to the July 17, 2009 Out-of-Home Placement Memorandum that was sent to providers and participants.
- **Residential Placement Exception (Child):** For any child receiving special family habilitation home or residential habilitation, the basic premise for the IBA is the total units from SFY-2009 (July 1, 2008 – June 30, 2009) approved plan multiplied by posted service rates—less one-time expenses such as subsequent assessments, specialized equipment, or environmental modifications.

For NEW participants to the Children's DD Waiver:

- For any new participants not requesting residential placement, the IBA shall be determined using the DOORS IBA Model, less the 10% budget reductions.
- NOTE: If residential placement is being requested, the participant must meet targeting criteria according to the July 17, 2009 Out-of-Home Placement Memorandum that was sent to providers and participants.
- A funding letter with the IBA will be sent to the participant, legal representative, and his/her case manager.

The Division may adjust the IBA for the following reasons:

- If a subsequent psychological assessment is required for continued waiver eligibility, the cost may be added to the plan for ONE YEAR ONLY, not to exceed \$1,000.
- If the participant has transitioned to a different service due to waiver changes (i.e. From In-Home Support to Personal Care or Supported Living)
- If the participant has had a transition last plan year resulting from a substantial change in the person's health and safety needs.
- If significant changes in the participant's functioning occurs, and it can be substantiated by documentation provided by the case manager, the Waiver Manager may calculate a new IBA based on this substantiated information or forward the request to the ECC.
- If the living situation changes to a less restrictive environment or if waiver services are reduced, the IBA may be adjusted accordingly, unless the historical units of service are understated.
- Any request for an out-of-home placement must meet the Waiver's targeting criteria and be reviewed by the ECC.

NOTE: If a participant's IBA meets the criteria for adjustments, the Waiver Manager may determine the adjusted IBA in consultation with the Division Administer or a Designee. Adjustments to IBAs may be limited based upon budget projections.

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Extraordinary Care Committee (ECC) Exception Requests:

Participant funding for waiver services shall be based upon individual need, not to exceed the Individual Budget Amount (IBA), without pre-approval by the Division. If the IBA is insufficient due to an emergency, material change in circumstance, potential emergency or other condition, additional funding may be requested over the IBA to the Extraordinary Care Committee (ECC) by the case manager. The ECC has authority to approve, modify, deny, or request additional information regarding a request.